



US Army Corps  
of Engineers  
New York District  
Jacob K. Javits Federal Building  
New York, N.Y. 10278-0090  
ATTN: Regulatory Branch

## PUBLIC NOTICE

**In replying refer to:**

Public Notice Number: 2003-01345-J1  
Issue Date: July 8, 2004  
Expiration Date: August 6, 2004

**To Whom It May Concern:**

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403).

**APPLICANT:** Newton and Margery Rice  
30 Fairwaters Lane  
Fair Haven, NJ 07704

**ACTIVITY:** Maintain as completed a pier assembly; relocate boat ramp and install a fixed pier

**WATERWAY:** Navesink River, Shrewsbury River

**LOCATION:** Borough of Fair Haven, Monmouth County, New Jersey.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE.**  
otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information

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submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). A complete description of the project is given in the attached Work Description. The District Engineer has made the preliminary determination that the site-specific adverse effects are not likely to not be substantial. Further consultation with NMFS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

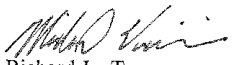
Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New Jersey the applicant's certification and accompanying information is available from the New Jersey Department of Environmental Protection, Bureau of Coastal Regulation, CN 401, 501 East State Street, Second Floor, Trenton, New Jersey 08625-0401, Telephone Number (609) 633-2289. Comments regarding the applicant's certification should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

New Jersey Department of Environmental Protection Permit

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (212) 264-3912 and ask for Sophie Ettinger.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>

  
Richard L. Tomer  
Chief, Regulatory Branch

Enclosures

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**WORK DESCRIPTION**

The applicant, Newton and Margery Rice, has requested Department of the Army authorization to maintain as completed platform, ramp, float, relocate existing boat ramp and boat lift, and install fixed pier in Navesink River, Shrewsbury River, Borough of Fair Haven, Monmouth County, New Jersey.

The completed work includes an existing 10 foot wide by 20 foot long fixed platform, a 3 foot wide by 20 foot long ramp, an 8 foot wide by 20 foot long float. The new work would include construction of a 6 foot wide by 240 foot long fixed pier. The applicants proposed to relocate existing boat lift and boat ramp from the western side of proposed fixed pier to its east side.

The stated purpose of this completed and proposed work is to provide adequate mooring facility for the applicants recreational vessel.

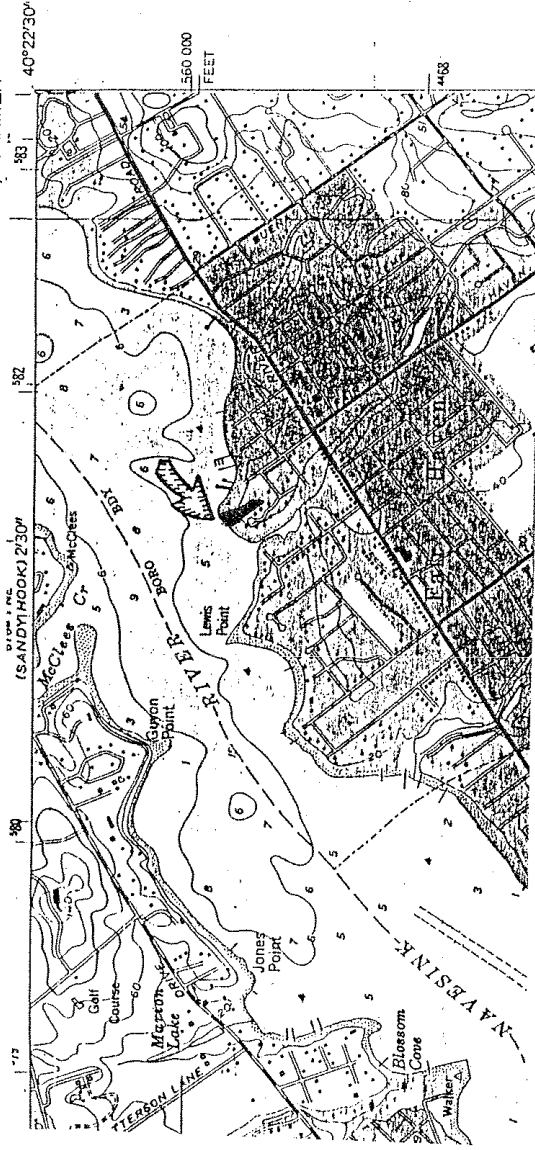
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E. 2,175,000

LONG BRANCH, N. J.  
40073-08-TF-024

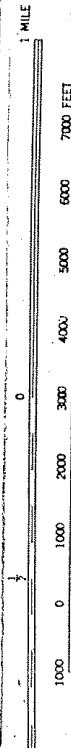
1954  
PHOTOREVISED 1981  
DMA 6164 1 SE-SERIES V822

ADJACENT OWNERS:

BLOCK 26 LOT 7 CANTOR, EUGENE L & MARIA  
BLOCK 26 LOT 10 RICE, CARMEN K.  
BLOCK 26 LOT 4 LYLE, PAUL H & STACY  
BLOCK 26 LOT 2 BRYER, PAUL J TRUST  
BLOCK 26 LOT 14 RICE, CARMEN



KEY MAP SCALE: AS SHOWN

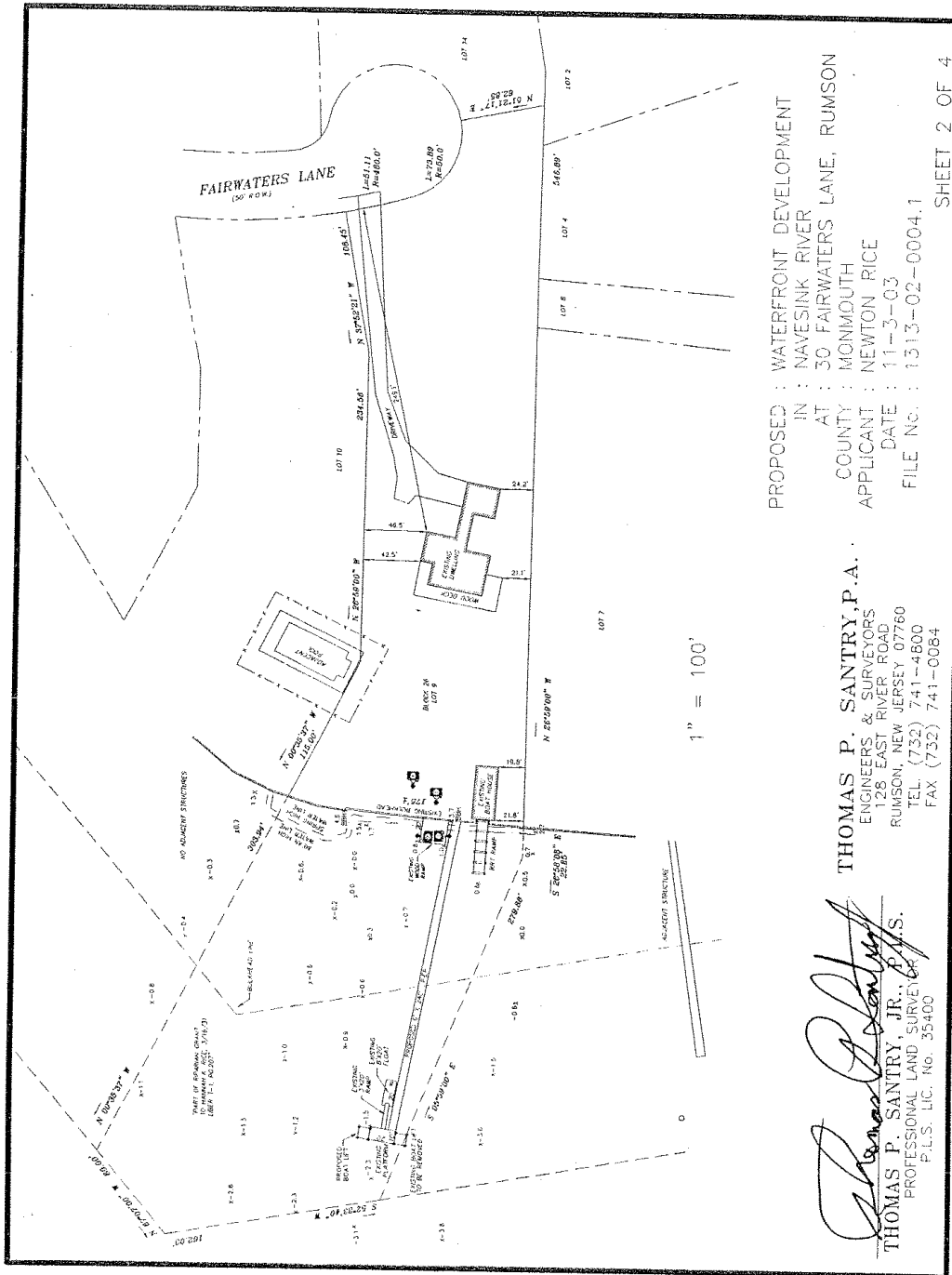


*Thomas P. Santry, Jr.*  
**THOMAS P. SANTRY, JR., P.L.S.**  
PROFESSIONAL LAND SURVEYOR  
P.L.S. LIC. No. 35400

**THOMAS P. SANTRY, P.A.**  
ENGINEERS & SURVEYORS  
128 EAST RIVER ROAD  
RUMSON, NEW JERSEY 07760  
TEL (732) 741-4800  
FAX (732) 741-0084

PROPOSED : WATERFRONT DEVELOPMENT  
IN : NAVESINK RIVER  
AT : 30 FAIRWATERS LANE, RUMSON  
COUNTY : MONMOUTH  
APPLICANT : NEWTON RICE  
DATE : 11-3-03  
FILE No. : 1313-02-0004.1

SHEET 1 OF 4

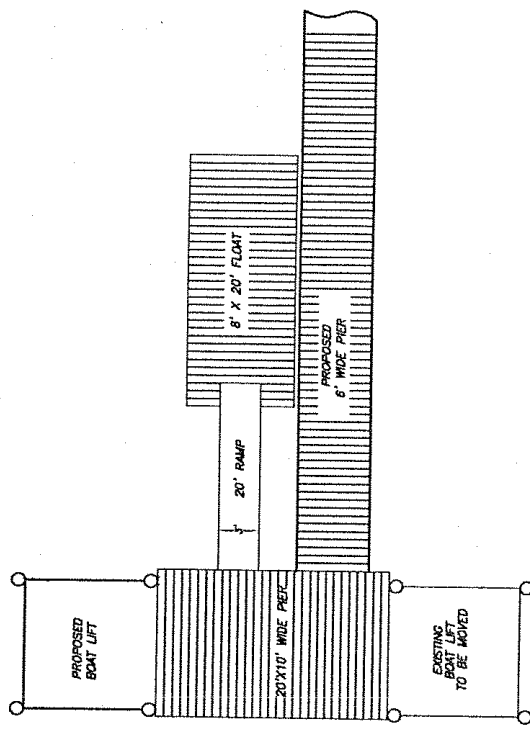


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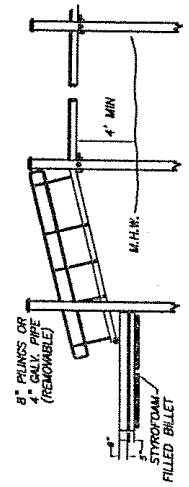
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NOTES:  
 3/8" GALV HARDWARE  
 TO BE USED THROUGHOUT  
 2" X 6" PLANKS WITH  
 3/8" SPACES TYP.

TYPICAL PILES 10' OR MAXIMUM  
 6" TO 8" PILES TYP.  
 LENGTH DETERMINED ON SITE



PIER, RAMP & FLOAT DETAIL  
 NOT TO SCALE

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